

# **EXHIBIT 1**

**Golightly & Vannah vs. Hamlett, et al.**

**NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1441(a) (FEDERAL  
QUESTION)**

# **EXHIBIT 1**

2580  
NATHAN M. JENKINS (560)  
JENKINS LAW FIRM  
1895 Plumas Street, Suite 2  
Reno, NV 89509  
(775) 829-7800  
Attorneys for Defendant Northern Nevada Operating  
Engineers Health & Welfare Trust Fund

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

GOLIGHTLY & VANNAH, PLLC,

Plaintiff,

Case No. CV16-00245

vs.

Dept. No. 7

HAL HAMLETT, an individual; JESSICA  
HAMLETT, an individual; JAIDYN  
HAMLETT, a minor; JONATHAN HOLLAND,  
a minor; REGIONAL EMERGENCY  
MEDICAL SERVICE AUTHORITY;  
CHRISTIAN PURGASON, D.O. dba  
NORTHERN NEVADA EMERGENCY  
PHYSICIANS; TJ ALLEN, LLC; RENOWN  
REGIONAL MEDICAL CENTER; RENO  
ORTHOPAEDIC CLINIC, LTD., DR.  
CHRISTENSEN; RENO RADIOLOGICAL  
ASSOCIATES, CHARTERED; ROBERT G.  
BERRY, JR., M.D. PROFESSIONAL  
CORPORATION dba ORTHOPEDIC  
REHABILITATION SPECIALISTS OF NV;  
UNIVERSAL SERVICES, INC.; OPERATING  
ENGINEERS FUNDS, INC. dba OPERATING  
ENGINEERS HEALTH & WELFARE TRUST  
FUND; DOE Defendants I through X; ROE  
CORPORATION Defendants XI through XX,

Defendant.

**NOTICE OF FILING OF REMOVAL**

PLEASE TAKE NOTICE that, on this date, Defendant Northern Nevada Operating  
Engineers Health & Welfare Trust Fund, named in the Complaint in Interpleader as Operating  
Engineers Funds, Inc. dba Operating Engineers Health & Welfare Trust Fund, by and through

JENKINS LAW FIRM  
ATTORNEYS AT LAW  
1895 Plumas Street, Suite 2  
Reno, Nevada 89509  
(775) 829-7800 Fax (775) 829-0511

1 their undersigned counsel, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, filed a Notice of  
2 Removal to Federal Court of this action in the United States District Court for the District of  
3 Nevada.

4 A copy of the Notice of Removal to Federal Court is attached to this Notice, and is served  
5 and filed herewith.

6 Defendant respectfully requests that this Court proceed no further in this cause unless and  
7 until this action is remanded to State court. Absent the entry of a remand order by the United  
8 States District Court for the District of Nevada, this Court is divested of jurisdiction in this cause  
9 and is thereby requested to stay all further proceedings.

10 **AFFIRMATION**

11 The undersigned does hereby affirm that the within document does not contain the social  
12 security number of any person.

13 DATED this 15<sup>th</sup> day of March, 2016.

14 JENKINS LAW FIRM  
15 Attorneys for Defendant Northern Nevada Operating  
16 Engineers Health & Welfare Trust Fund

17 By: \_\_\_\_\_

18 NATHAN M. JENKINS  
1895 Plumas Street, Suite 2  
Reno, NV 89509

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CERTIFICATE OF SERVICE

I certify that I am an employee of JENKINS LAW FIRM and that on this date the within document entitled **NOTICE OF FILING OF REMOVAL** was electronically filed with the Clerk of the Court using the ECF system, which will automatically e-serve the same on the attorney of record set forth below:

Robert D. Vannah, Esq.,  
L. Dipaul Marrero II, Esq.  
Golightly & Vannah, PLLC  
5555 Kietzke Lane, Suite 150  
Reno, NV 89511

DATED this 15 day of March, 2016.



JENKINS LAW FIRM  
ATTORNEYS AT LAW  
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# **EXHIBIT 2**

**Golightly & Vannah vs. Hamlett, et al.**

**NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1441(a) (FEDERAL  
QUESTION)**

# **EXHIBIT 2**

1425  
 ROBERT D. VANNAH, ESQ.  
 Nevada Bar No. 002503  
 L. DIPPAUL MARRERO II, ESQ.  
 Nevada Bar No. 012441  
**GOLIGHTLY & VANNAH, PLLC**  
 5555 Kietzke Lane, Suite 150  
 Reno, Nevada 89511  
 Telephone (775) 222-3333  
*Attorneys for Plaintiff*

**IN THE SECOND JUDICIAL DISTRICT COURT OF  
 THE STATE OF NEVADA IN AND FOR THE  
 COUNTY OF WASHOE**

GOLIGHTLY & VANNAH, PLLC,

Plaintiff,

vs.

HAL HAMLETT, an individual; JESSICA  
 HAMLETT, an individual; JAIDYN HAMLETT,  
 a minor; JONATHAN HOLLAND, a minor;  
 REGIONAL EMERGENCY MEDICAL  
 SERVICE AUTHORITY; CHRISTIAN  
 PURGASON, D.O., dba NORTHERN NEVADA  
 EMERGENCY PHYSICIANS; TJ ALLEN, LLC;  
 RENOWN REGIONAL MEDICAL CENTER;  
 RENO ORTHOPAEDIC CLINIC, LTD., DR.  
 CHRISTENSEN; RENO RADIOLOGICAL  
 ASSOCIATES, CHARTERED; ROBERT G.  
 BERRY, JR., M.D. PROFESSIONAL  
 CORPORATION dba ORTHOPEDIC  
 REHABILITATION SPECIALISTS OF NV;  
 UNIVERSAL SERVICES, INC.; OPERATING  
 ENGINEERS FUNDS, INC. dba OPERATING  
 ENGINEERS HEALTH & WELFARE TRUST  
 FUND; DOE Defendants I through X; ROE  
 CORPORATION Defendants XI through XX,

Defendants.

CASE NO.:

DEPT NO.:

**COMPLAINT IN INTERPLEADER**

NAR 3(a) Exempt from Arbitration  
 action in equity and for declaratory relief;  
 amount in controversy.

GOLIGHTLY & VANNAH, PLLC  
 5555 Kietzke Lane, Suite 150, Reno, Nevada 89511  
 Telephone (775) 222-3333 • Facsimile (775) 420-4182

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 Telephone (775) 222-3333 • Facsimile (775) 420-4182

1 Plaintiff GOLIGHTLY & VANNAH, PLLC (hereinafter "Plaintiff"), by and through its  
 2 attorneys of record ROBERT D. VANNAH, ESQ. and L. DIPPAUL MARRERO II, ESQ., for its  
 3 cause of action against the Defendants, and each of them, complains and alleges as follows:

4 1. This Court has jurisdiction pursuant to N.R.C.P. 22, which confers upon Plaintiff the  
 5 right to interplead.

6 2. That Plaintiff is a law firm duly licensed to do business, and is doing business, within  
 7 the County of Washoe, State of Nevada.

8 3. That Defendants Hal Hamlett, Jessica Hamlett, Jaidyn Hamlett, and Jonathan Holland  
 9 were, at all times relevant to this action, residents of Washoe County, Nevada.

10 4. That Plaintiff was retained by Defendants Hal Hamlett, Jessica Hamlett, Jaidyn  
 11 Hamlett, and Jonathan Holland to represent Defendants Hal Hamlett, Jessica Hamlett, Jaidyn  
 12 Hamlett, and Jonathan Holland for personal injuries they sustained in a motor vehicle accident  
 13 against David Howard, which accident occurred on August 2, 2013.

14 5. That Defendant REGIONAL EMERGENCY MEDICAL SERVICE AUTHORITY,  
 15 is and, at all times relevant hereto, was a business and/or medical provider/facility licensed by the  
 16 State of Nevada, and was doing business in Washoe County, State of Nevada, and provided medical  
 17 care and treatment to Boyd, all or part of which was on a lien basis.

18 6. That Defendant CHRISTIAN PURGASON, D.O., dba NORTHERN NEVADA  
 19 EMERGENCY PHYSICIANS, is and, at all times relevant hereto, was a business and/or medical  
 20 provider/facility licensed by the State of Nevada, and was doing business in Washoe County, State  
 21 of Nevada, and provided medical care and treatment to Defendants Hal Hamlett, Jessica Hamlett,  
 22 Jaidyn Hamlett, and Jonathan Holland, all or part of which was on a lien basis.

23 7. That Defendant TJ ALLEN, LLC, is and, at all times relevant hereto, was a business  
 24 and/or medical provider/facility licensed by the State of Nevada, and was doing business in Washoe  
 25

1 County, State of Nevada, and provided medical care and treatment to Defendants Hal Hamlett,  
2 Jessica Hamlett, Jaidyn Hamlett, and Jonathan Holland, all or part of which was on a lien basis.

3 8. That Defendant RENOWN REGIONAL MEDICAL CENTER is and, at all times  
4 relevant hereto, was a business and/or medical provider/facility licensed by the State of Nevada, and  
5 was doing business in Washoe County, State of Nevada, and provided medical care and treatment to  
6 Defendants Hal Hamlett, Jessica Hamlett, Jaidyn Hamlett, and Jonathan Holland, all or part of which  
7 was on a lien basis.  
8

9 9. That Defendant RENO ORTHOPAEDIC CLINIC, LTD., DR. CHRISTENSEN, is  
10 and, at all times relevant hereto, was a business and/or medical provider/facility licensed by the State  
11 of Nevada, and was doing business in Washoe County, State of Nevada, and provided medical care  
12 and treatment to Defendants Hal Hamlett, Jessica Hamlett, Jaidyn Hamlett, and Jonathan Holland,  
13 all or part of which was on a lien basis.  
14

15 10. That Defendant RENO RADIOLOGICAL ASSOCIATES, CHARTERED, is and, at  
16 all times relevant hereto, was a business and/or medical provider/facility licensed by the State of  
17 Nevada, and was doing business in Washoe County, State of Nevada, and provided medical care and  
18 treatment to Defendants Hal Hamlett, Jessica Hamlett, Jaidyn Hamlett, and Jonathan Holland, all or  
19 part of which was on a lien basis.  
20

21 11. That Defendant ROBERT G. BERRY, JR., M.D. PROFESSIONAL  
22 CORPORATION dba ORTHOPEDIC REHABILITATION SPECIALISTS OF NV, is and, at all  
23 times relevant hereto, was a business and/or medical provider/facility licensed by the State of  
24 Nevada, and was doing business in Washoe County, State of Nevada, and provided medical care and  
25 treatment to Defendants Hal Hamlett, Jessica Hamlett, Jaidyn Hamlett, and Jonathan Holland, all or  
26 part of which was on a lien basis.  
27

28 12. That Defendant UNIVERSAL SERVICES, INC, is and, at all times relevant hereto,  
was a business and/or medical provider/facility licensed by the State of Nevada, and was doing



1 business in Washoe County, State of Nevada, and provided medical care and treatment to  
2 Defendants Hal Hamlett, Jessica Hamlett, Jaidyn Hamlett, and Jonathan Holland, all or part of which  
3 was on a lien basis.

4 13. That Defendant OPERATING ENGINEERS FUNDS, INC. dba OPERATING  
5 ENGINEERS HEALTH & WELFARE TRUST FUND, is and, at all times relevant hereto, was a  
6 business and/or medical provider/facility licensed by the State of Nevada, and was doing business in  
7 Washoe County, State of Nevada, and provided medical care and treatment to Defendants Hal  
8 Hamlett, Jessica Hamlett, Jaidyn Hamlett, and Jonathan Holland, all or part of which was on a lien  
9 basis.  
10

11 14. That the true names and capacities, whether individual, corporate, associate, or  
12 otherwise, DOE Defendants I through X are unknown to Plaintiff, who therefore sues said  
13 Defendant by such fictitious names. Plaintiff is informed, believes and thereupon alleges that at all  
14 relevant times, each of the Defendants designated as a DOE Defendant is responsible in some  
15 manner for the events and happenings described herein. As such, Plaintiff will seek leave of the  
16 Court to amend this Complaint to insert the true names and capacities of said Defendants as they  
17 become identified and known to Plaintiff.  
18

19 15. The true names and capacities, whether individual, corporate, associate, or otherwise,  
20 of Defendants ROE Corporations XI through XX, are unknown to Plaintiff, who therefore sues said  
21 defendants by such fictitious names. Plaintiff is informed, believes and thereupon alleges that at all  
22 relevant times, each of the Defendants designated, as a ROE CORPORATION is responsible in  
23 some manner for the events and happenings described herein. As such, Plaintiff will seek leave of  
24 the Court to amend this Complaint to insert the true names and capacities of said Defendants as they  
25 become identified and known to Plaintiff.  
26

27 16. On August 2, 2013 Defendants Hal Hamlett, Jessica Hamlett, Jaidyn Hamlett, and  
28 Jonathan Holland were injured in an automobile collision caused by David Howard.

1 17. Defendants Hal Hamlett, Jessica Hamlett, Jaidyn Hamlett, and Jonathan Holland  
2 entered into a contingent attorney fee agreement with Plaintiff, which provided that Plaintiff would  
3 receive thirty three and one third percent (33 1/3 %) of any monies recovered in addition to all costs  
4 associated with the pursuit of recovery against Luis Esquivel following the initiation of litigation.

5 18. There were other claimants related to the subject automobile collision caused by  
6 David Howard, whose liability insurance was not sufficient to satisfy all claims  
7

8 19. Plaintiff settled the claim in the amount of \$11,944.00 as to Hal Hamlett; \$11,240.00  
9 as to Jessica Hamlett; \$656.00 as to Jaidyn Hamlett; and \$600.00 as to Jonathan Holland, for a total  
10 settlement of \$24,440.00 ("Settlement Proceeds").

11 20. Plaintiff is therefore entitled to thirty three and one third percent (33 1/3 %) of the  
12 Settlement Proceeds, or \$3,746.67 as to Jessica Hamlett along with \$180.00 in costs; \$3,981.33 as to  
13 Hal Hamlett with \$165.00 in costs; \$218.66 as to Jaidyn Hamlett; and \$200.00 as to Jonathan  
14 Holland, pursuant to their contingent attorney fee agreements.  
15

16 21. Plaintiff maintains a charging lien in this matter pursuant to NRS 18.015 which takes  
17 priority in this matter pursuant to *Michel v. Eighth Judicial District Court*, 117 Nev. 145, 17 P.3d  
18 1003 and NRS 108.600.

19 22. Plaintiff is informed and believes that Defendants may have existing liens against the  
20 Settlement Proceeds for services provided to Defendants Hal Hamlett, Jessica Hamlett, Jaidyn  
21 Hamlett, and Jonathan Holland after the August 2, 2013, automobile collision.  
22

23 23. Plaintiff is informed and believes that the total monetary value of liens claimed by  
24 Defendants may exceed the remainder of the Settlement Proceeds after Plaintiff receives its  
25 contingency fee.

26 24. Plaintiff cannot safely determine which liens should be paid or what percentage  
27 should be awarded to Defendants, therefore exposing Plaintiff to multiple liabilities.  
28

1           25. Plaintiff seeks to interplead pursuant to NRCp 22 the entirety of the aforesaid  
2 \$24,440.00 with the Court and to have the Court determine the rights of each party with respect to  
3 the funds.

4           26. Defendant **Renown Regional Medical Center** has a lien and/or is owed \$38,658.25  
5 as to Defendant Hal Hamlett; \$33,170.75 as to Defendant Jessica Hamlett; and \$1,096.00 as to  
6 Defendant Jaidyn Hamlett; a portion of these bills may have been paid by Defendant **Operating**  
7 **Engineers Funds, Inc. dba Operating Engineers Health & Welfare Trust Fund**.

9           27. Defendant **Christian Purgason, D.O., dba Northern Nevada Emergency**  
10 **Physicians** has a lien and/or is owed \$1,022.00 as to Defendant Hal Hamlett; \$2,185.00 as to  
11 Defendant Jessica Hamlett; and \$299.00 as to Defendant Jaidyn Hamlett.

12           28. Defendant **TJ Allen, LLC** has a lien and/or is owed \$1,907.00 as to Defendant Hal  
13 Hamlett; \$2,255.00 as to Defendant Jessica Hamlett; and \$2,279.00 as to Defendant Jonathan  
14 Holland.

15           29. Defendant **Regional Emergency Medical Service Authority** has a lien and/or is  
16 owed \$1,093.00 as to Defendant Hal Hamlett; and \$1,093.00 as to Defendant Jessica Hamlett.

17           30. Defendant **Reno Orthopaedic Clinic LTD., Dr. Christensen** has a lien and/or is  
18 owed an undetermined amount due to potential payment by Defendant **Operating Engineers**  
19 **Funds, Inc. dba Operating Engineers Health & Welfare Trust Fund** as to Defendant Hal  
20 Hamlett; and \$1,728.00 as to Defendant Jessica Hamlett.

21           31. Defendant **Reno Radiological Associates, Chartered** has a lien and/or is owed  
22 \$2,618.45 as to Defendant Hal Hamlett; and 945.45 as to Defendant Jessica Hamlett.

23           32. Defendant **Robert G. Berry, Jr., M.D. Professional Corporation dba Orthopedic**  
24 **Rehabilitation Specialists of NV** has a lien and/or is owed \$884.00 as to Defendant Jessica  
25 Hamlett.  
26  
27  
28

33. Defendant **Universal Services, Inc.** has a lien and/or is owed \$1,728.00 as to Defendant as to Defendant Jessica Hamlett.

34. Defendant **Operating Engineers Funds, Inc. dba Operating Engineers Health & Welfare Trust Fund** has a lien and/or is owed \$33,641.52 as to Defendant Hal Hamlett; and \$1,270.92 as to Defendant Jaidyn Hamlett.

35. Plaintiff brings this Complaint in Interpleader in good faith, and as directed by this Court, will deposit the sum of \$24,440.00, to be divided by this Court, as it deems appropriate, upon receipt of the funds pursuant to the settlement agreements.

WHEREFORE, Plaintiff requests for this Court to provide the following relief:

1. Require Defendants to appear and answer this Complaint in Interpleader to establish whatever claims they have with respect to settlement proceeds.
2. Order immediate payment to Plaintiff in excess of \$8,491.66 for attorneys' fees and costs based upon its lien and pursuant to statutory authority.
3. Determine which of the Defendants are entitled to a portion of the settlement proceeds.
4. That all of the Defendants be restrained until further order of this Court from institution or further pursuing any proceeding against Plaintiff affecting the rights and obligations of the parties to this action.
5. Declare Plaintiff to be without liability regarding Defendants' liens and be discharged from all responsibility concerning the settlement proceeds.
6. Award reasonable attorney's fees to Plaintiff for bringing this action;
7. Reimburse Plaintiff for service of the summonses and complaints served on the Defendants. Plaintiff will provide the court with an itemized list of billing for service of the summonses and complaints when they are served.
8. Extend any other relief to which Plaintiff is entitled; and

1 9. Discharge Golightly & Vannah, PLLC from the action.

2 10. For any further relief as the Court deems to be just and proper.

3  
4 **Affirmation**

5 **Pursuant to NRS 239B.030**

6 The undersigned does hereby affirm that the preceding document, Complaint, filed in case number  
7 unknown, does not contain the social security number of any person.  
8

9 Dated this 3 day of February, 2016.

10  
11 GOLIGHTLY & VANNAH, PLLC

12  
13 

14 ROBERT D. VANNAH, ESQ.

15 Nevada Bar No. 2503

16 L. DIPaul MARRERO II, ESQ.

17 Nevada Bar. No. 12441

18 5555 Kietzke Lane, Suite 150

19 Reno, Nevada 89511

20 Attorneys for Plaintiff  
21  
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24  
25  
26  
27  
28

GOLIGHTLY & VANNAH, PLLC  
5555 Kietzke Lane, Suite 150, Reno, Nevada 89511  
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# **EXHIBIT 3**

**Golightly & Vannah vs. Hamlett, et al.**

**NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1441(a) (FEDERAL  
QUESTION)**

# **EXHIBIT 3**

# JENKINS LAW FIRM

ATTORNEYS AT LAW

From the Desk of:  
**Nathan M. Jenkins, Esq.**  
nathan@njenkinslaw.com

March 10, 2016

Robert D. Vannah, Esq.  
L. Dipaul Marrero II, Esq.  
Golightly & Vannah, PLLC  
5555 Kietzke Lane, Suite 150  
Reno, NV 89511

**RE: Golightly & Vannah, PLLC, v. Hal Hamlett et al.  
Complaint in Interpleader, Case No. CV16-00245**

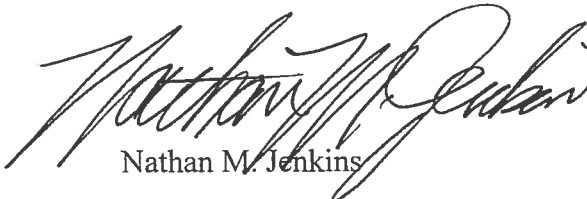
Dear Sirs:

This office represents the Northern Nevada Operating Engineers Health and Welfare Trust Fund named in the above-noted matter as Operating Engineers Funds, Inc. dba Operating Engineers Health and Welfare Trust Fund. The correct legal name is the Northern Nevada Operating Engineers Health and Welfare Trust Fund.

I will accept service of process on behalf of the Northern Nevada Operating Engineers Health and Welfare Trust Fund. Please forward an acceptance of service and I will execute it and return to your office.

Please contact me with any questions.

Sincerely yours,



Nathan M. Jenkins

NMJ/vp